UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN SOUTHERN DIVISION

Plaintiff,

Case No. 2:09-cv-10703 Hon. Stephen J. Murphy, III

VS.

ROBERT HORLOCKER, PATRICK MOORE, and the CITY OF WARREN,

Defendants.

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STIPULATION AND ORDER TO DISMISS WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED upon by all parties pertinent hereto; and the court being otherwise fully advised in the premises; that this cause of action be dismissed with prejudice and without costs.

s/Paul W. Broschay PAUL W. BROSCHAY (P36267)

<u>s/Raechel M. Badalamenti</u> RAECHEL M. BADALAMENTI (P64361)

PURSUANT TO STIPULATION;

IT IS HEREBY ORDERED that the above-entitled matter shall be and is hereby dismissed with prejudice and without costs.

s/Stephen J. Murphy, III STEPHEN J. MURPHY, III United States District Judge

Dated: September 30, 2010

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on September 30, 2010, by electronic and/or ordinary mail.

s/Alissa Greer Case Manager